

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ELLINGTON CREDIT FUND, LTD., *et al.*,

Plaintiffs,

-v-

SELECT PORTFOLIO SERVICES, INC., *et al.*,

Defendants.

**USDS SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
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DATE FILED: 9/15/09

No. 08 Civ. 2437 (RJS)  
ORDER

RICHARD J. SULLIVAN, District Judge:


By Order dated June 12, 2008, the Court granted Defendants' request for a stay of discovery during the pendency of its motions to dismiss. By Order dated February 3, 2009, the Court denied Plaintiffs' motion to lift the stay.

The Court is now in receipt of Plaintiffs' letter dated September 2, 2009 requesting permission to move to lift the stay of discovery as to those claims not challenged in Defendants' motion to dismiss. As directed by this Court's Individual Practice 2.A, Defendants should have submitted a letter responding to the contemplated motion within three days.

Therefore, IT IS HEREBY ORDERED that Defendants shall submit a letter responding to the Plaintiffs' pre-motion letter no later than September 15, 2009.

SO ORDERED.

Dated: September 10, 2009  
New York, New York

  
RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE